



Air Resources Board



Matthew Rodriguez
Secretary for
Environmental Protection

Mary D. Nichols, Chair
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Sacramento, California 95812 • www.arb.ca.gov

Edmund G. Brown Jr.
Governor

July 27, 2017

Ms. Alexis Strauss
Acting Regional Administrator
Region 9
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, California 94105

Dear Ms. Strauss:

The California Air Resources Board (CARB) is forwarding the July 11, 2017 request from the Imperial County Air Pollution Control District (District) to withdraw portions of the Imperial County 2013 State Implementation Plan for the 2006 24-hour PM_{2.5} Moderate Nonattainment Area (Imperial PM_{2.5} SIP).

CARB adopted the Imperial PM_{2.5} SIP on December 18, 2014. On March 13, 2017, U.S. EPA published a clean data finding determining that Imperial County met the 35 ug/m³ PM_{2.5} standard in 2015. The clean data finding approved the baseline emission inventory and suspended remaining Clean Air Act requirements for an attainment demonstration, reasonable available control measures, reasonable available control technologies, reasonable further progress plan, and contingency measures. Therefore, CARB requests to withdraw all elements of the Imperial PM_{2.5} SIP with the exception of the approved baseline emission inventory as specified in the enclosed CARB Executive Order S-17-007.

If you have any questions, please have your staff contact Ms. Karen Magliano, Chief, Air Quality Planning and Science Division, at (916) 322-5350 or by email at karen.magliano@arb.ca.gov.

Sincerely,



Richard W. Corey
Executive Officer

Enclosures

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.

California Environmental Protection Agency

Ms. Alexis Strauss
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cc: Mr. Matt Dessert
Air Pollution Control Officer
Imperial County Air Pollution Control District
150 South 9th Street
El Centro, California 92243-2801

Ms. Karen Magliano, Chief
Air Quality Planning and Science Division

**State of California
AIR RESOURCES BOARD**

EXECUTIVE ORDER S-17-007

**Withdrawal the of Imperial County 2013 State Implementation Plan for the
2006 24-Hour PM_{2.5} Moderate Nonattainment Area**

WHEREAS, the Legislature in Health and Safety Code section 39602 has designated the State Air Resources Board (CARB or Board) as the air pollution control agency for all purposes set forth in federal law;

WHEREAS, the ARB is responsible for the preparation of the State Implementation Plan (SIP) for attaining and maintaining the national ambient air quality standards (NAAQS) as required by the federal Clean Air Act (the "Act"; 42 U.S.C. section 7401 et seq.), and to this end is directed by Health and Safety Code section 39602 to coordinate the activities of all local and regional air pollution control and air quality management districts (districts) necessary to comply with the Act;

WHEREAS, CARB has responsibility for ensuring that local air districts meet their responsibilities under the Act pursuant to sections 39002, 39500, 39602, and 41650 of the Health and Safety Code;

WHEREAS, CARB is authorized by section 39600 of the Health and Safety Code to do such acts as may be necessary for the proper execution of its powers and duties;

WHEREAS, sections 39515 and 39516 of the Health and Safety Code provide that any power, duty, purpose, function or jurisdiction of the Board may be delegated to the Board's Executive Officer as the Board deems appropriate;

WHEREAS, the local air districts have primary responsibility for the control of air pollution from non-vehicular sources and for adopting control measures, rules, and regulations to attain the NAAQS within their boundaries pursuant to sections 39002, 40000, 40001, 40701, 40702, and 41650 of the Health and Safety Code;

WHEREAS, the Imperial County Air Pollution Control District (District) was established pursuant to section 40002 of the Health and Safety Code as the air pollution control district responsible for carrying out these responsibilities in Imperial County;

WHEREAS, in December 2006, the U.S. Environmental Protection Agency (U.S. EPA) lowered the 24-hour PM_{2.5} NAAQS from 65 ug/m³ to 35 ug/m³;

WHEREAS, effective December 14, 2009, U.S. EPA designated a portion of Imperial County (PM_{2.5} Nonattainment Area) as nonattainment for the 35 ug/m³ 24-hour PM_{2.5} NAAQS;

WHEREAS, on June 2, 2014, U.S. EPA classified the PM2.5 Nonattainment Area as moderate for the 35 ug/m3 24-hour PM2.5 NAAQS under Subpart 4 of the Act and set a December 31, 2014 SIP submission deadline along with a December 31, 2015 attainment deadline;

WHEREAS, Section 179B of the Act allows states to demonstrate to the satisfaction of the U.S. EPA administrator that a nonattainment area would have attained the NAAQS by the applicable attainment date, but for emissions emanating from outside the United States;

WHEREAS, areas subject to Section 179B are required to include in the SIP an emission inventory for PM2.5 and PM2.5 precursors, a Reasonably Available Control Measures/Reasonably Available Control Technologies (RACM/RACT) demonstration, reasonable further progress (RFP) including quantitative milestones, RFP contingency measures, and transportation conformity budgets;

WHEREAS, based on U.S. EPA guidance at the time for implementing the PM10 NAAQS under Subpart 4 of the Act, CARB and the District developed the 2013 Imperial County PM2.5 SIP to address the 35 ug/m3 24-hour PM2.5 NAAQS for the PM2.5 Nonattainment Area;

WHEREAS, the 2013 Imperial County PM2.5 SIP included a demonstration that the PM2.5 Nonattainment Area would have attained the 35 ug/m3 24-hour PM2.5 NAAQS in 2012 absent pollutant transport from Mexico, pursuant to Section 179B of the Act;

WHEREAS, the 2013 Imperial County PM2.5 SIP included the applicable Act requirements: an emission inventory including PM2.5 precursors, RACM/RACT demonstration, RFP including quantitative milestones, RFP contingency and transportation conformity budgets;

WHEREAS, following a public hearing on December 2, 2014, the District Board approved the 2013 Imperial County PM2.5 SIP;

WHEREAS, CARB adopted the 2013 Imperial County PM2.5 SIP on December 18, 2014 and transmitted it to U.S. EPA for inclusion in the California SIP;

WHEREAS, on March 13, 2017, U.S. EPA published a clean data finding for the PM2.5 Nonattainment Area stating it had met the 35 ug/m3 PM2.5 standard by the 2015 moderate area deadline, thus, approved the baseline inventories, and suspended the attainment demonstration, RACM demonstration, RFP demonstration, contingency measures and other planning requirements related to attainment;

WHEREAS, the Rule specifies that a clean data finding also suspends the RACT requirements;

WHEREAS, quantitative milestones are solely associated with RFP and are also suspended due to a clean data finding; and;

WHEREAS, on July 11, 2017, the District requested that CARB withdraw the 2013 Imperial County PM2.5 SIP with the exception of the approved baseline inventories.

NOW, THEREFORE, IT IS ORDERED that the California Air Resources Board hereby, submits to the U.S. Environmental Protection Agency the request to withdraw the attainment demonstration, RFP, RACM, RACT, quantitative milestones, and contingency measures SIP elements of the 2013 Imperial County PM2.5 SIP from the California SIP.

Executed at Sacramento, California this 27th day of July, 2017.



Richard W. Corey
Executive Officer

